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PTO/SB/21 (02-04)  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/765,430
	Filing Date	January 26, 2004
	First Named Inventor	Guillermo J. Tearney
	Art Unit	3737
	Examiner Name	To be assigned
Total Number of Pages in This Submission	Attorney Docket Number	036140/US - 475387-00020

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
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<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	PTO 1449 form with 24 references and return receipt postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	DORSEY & WHITNEY, LLP Gary Abelev, Esq. (Reg No. 40,479)
Signature	
Date	April 20, 2005

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Gary Abelev, Esq.
Signature	
Date	April 20, 2005

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036140/US - 475387-00020 PATENT

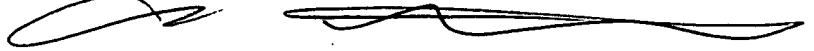
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Guillermo J. Tearney et al.  
Serial No. : 10/765,430  
Filed : January 26, 2004  
Entitled : SYSTEM AND METHOD FOR IDENTIFYING TISSUE USING  
LOW-COHERENCE INTERFEROMETRY  
Group Art Unit : 3737  
Examiner : To be assigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
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I hereby certify that this document is being sent via First Class U. S.  
mail addressed to: Commissioner for Patents, P.O. Box 1450,  
Alexandria, Virginia 22313-1450 on this day of April 20, 2005.

  
(Signature)

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449, and respectfully request that the listed documents be considered by the Examiner and made of record in the above-captioned application. Copies of the United States patent references listed on the Form PTO-1449 are not enclosed, but the PCT/foreign references are enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under


United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

This submission is being filed before any action by the U.S. Patent and Trademark Office on the merits. Therefore, applicants do not believe that any fee is due in connection with the submission of this paper. However, if any fee is due, or if any overpayment has been made, the Commissioner is authorized to charge any such fee or credit any overpayment, to our Deposit Account No. 50-2054.

Respectfully submitted,

**DORSEY & WHITNEY, LLP**



Gary Abelev  
PTO Reg. No. 40,479  
Attorneys for Applicants  
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Form PTO-1449 U.S. Department of Commerce  
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Atty. Docket No.  
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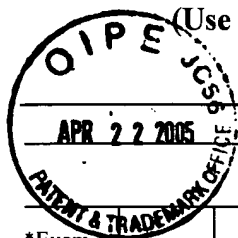
**INFORMATION DISCLOSURE STATEMENT  
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Applicant(s)  
Guillermo J. Tearney

Filing Date  
January 26, 2004

Group  
3737



**U.S. PATENT DOCUMENTS**

*Exam. Init.	Document No.								Date	Name	Class	Subclass	Filing Date if Appropriate
	2	3	3	9	7	5	4		January 25, 1944	P.H. Brace			
	4	6	0	1	0	3	6		July 15, 1986	Faxvog et al			
	4	6	3	1	4	9	8		December 23, 1986	Cutler			
	4	8	6	8	8	3	4		September 19, 1989	Fox et al			
	4	9	2	5	3	0	2		May 15, 1990	Cutler			
	4	9	6	5	4	4	1		October 23, 1990	Picard			
	4	9	9	3	8	3	4		February 19, 1991	Carlhoff et al			
	5	0	4	0	8	8	9		August 20, 1991	Keane			
	5	0	4	6	5	0	1		September 10, 1991	Crilly			
	5	1	2	0	9	5	3		June 9, 1992	Harris			
	5	1	9	7	4	7	0		March 30, 1993	Helfer et al			
	5	2	9	3	8	7	2		March 15, 1994	Alfano et al			
	5	3	1	7	3	8	9		May 31, 1994	Hochberg et al			
	5	3	2	1	5	0	1		June 14, 1994	Swanson et al			
	5	3	5	3	7	9	0		October 11, 1994	Jacques et al			
	5	3	8	3	4	6	7		January 24, 1995	Auer et al			
	5	4	1	9	3	2	3		May 30, 1995	Kittrell et al			
	5	4	3	9	0	0	0		August 8, 1995	Gunderson et al			
	5	4	4	1	0	5	3		August 15, 1995	Lodder et al			
	5	4	5	9	5	7	0		October 17, 1995	Swanson et al			
	5	4	6	5	1	4	7		November 7, 1995	Swanson			
	5	4	8	6	7	0	1		January 23, 1996	Norton et al			
	5	4	9	1	5	5	2		February 13, 1996	Kittrell			
	5	5	6	2	1	0	0		October 8, 1996	Kittrell et al			
	5	5	8	3	3	4	2		December 10, 1996	Koji Ichie			
	5	5	9	0	6	6	0		January 7, 1997	MacAulay et al			

Examiner

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\* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		5	6	0	1	0	8	7	February 11, 1997	Richards-Kortum et al			
		5	6	9	7	3	7	3	December 16, 1997	Gunderson et al			
		5	7	1	9	3	9	9	February 17, 1998	Alfano et al			
		5	7	4	8	5	9	8	May 5, 1998	Swanson et al			
		5	7	4	8	3	5	2	July 21, 1998	Swanson et al.			
		5	7	9	5	2	9	5	August 18, 1998	Hellmuth et al			
		5	8	0	3	0	8	2	September 8, 1998	Stapleton et al			
		5	8	4	0	0	2	3	November 24, 1998	Oraevsky et al			
		5	8	4	2	9	9	5	December 1, 1998	Mahadevan-Jansen et al			
		5	8	6	5	7	5	4	February 2, 1999	Sevick-Muraca et al			
		5	8	7	1	4	4	9	February 16, 1999	David Lloyd Brown			
		5	9	2	1	9	2	6	July 13, 1999	Rolland et al			
		5	9	5	6	3	5	5	September 21, 1999	Swanson et al			
		5	9	6	8	0	6	4	October 19, 1999	Selmon et al			
		5	9	8	7	3	4	6	November 16, 1999	Benaron et al			
		5	9	9	4	6	9	0	November 30, 1999	Kulkarni et al			
		6	0	0	2	4	8	0	December 14, 1999	Izatt et al			
		6	0	0	6	1	2	8	December 21, 1999	Izatt et al			
		6	0	1	0	4	4	9	January 4, 2000	Selmon et al			
		6	0	0	2	4	8	0	December 14, 1999	Izatt et al.			
		6	0	3	3	7	2	1	March 7, 2000	Nikos Nassuphis			
		6	0	4	4	2	8	8	March 28, 2000	Wake et al			
		6	0	4	8	7	4	2	April 11, 2000	Weyburne et al			
		6	0	6	9	6	9	8	May 30, 2000	Ozawa et al			
		6	0	9	1	9	8	4	July 18, 2000	Perelman et al			
		6	1	1	1	6	4	5	August 29, 2000	Tearney et al			
		6	1	1	7	1	2	8	September 12, 2000	Kenton W. Gregory			

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		6	1	2	0	5	1	6	September 19, 2000	Selmon et al			
		6	1	3	4	0	0	3	October 17, 2000	Tearney et al			
		6	1	4	1	5	7	7	October 31, 2000	Rolland et al			
		6	1	5	1	5	2	2	November 21, 2000	Alfano et al			
		6	1	5	9	4	4	5	December 12, 2000	Klaveness et al			
		6	1	6	0	8	2	6	December 12, 2000	Swanson et al			
		6	1	6	1	0	3	1	December 12, 2000	Hochmann et al			
		6	1	7	5	6	6	9	January 16, 2001	Colston et al			
		6	1	8	5	2	7	1	February 6, 2001	Richard Estyn Kinsinger			
		6	1	9	1	8	6	2	February 20, 2001	Swanson et al			
		6	2	0	1	9	8	9	March 13, 2001	Whitehead et al.			
		6	2	0	8	8	8	7	March 27, 2001	Richard H. Clarke			
		6	2	8	2	0	1	1	August 28, 2001	Tearney et al			
		6	3	4	1	0	3	6	January 22, 2002	Tearney et al			
		6	3	7	7	3	4	9	April 23, 2002	Adolf Friedrich Fercher			
		6	4	2	1	1	6	4	July 16, 2002	Tearney et al			
		6	4	8	5	4	1	3	November 26, 2002	Boppart et al			
		6	4	8	5	4	8	2	November 26, 2002	W. Martin Belef			
		6	5	0	1	5	5	1	December 31, 2002	Tearney et al			
		6	5	5	2	7	9	6	April 22, 2003	Magnin et al			
		6	5	6	4	0	8	7	May 13, 2003	Pitris et al			
		6	6	2	2	7	3	2	September 23, 2003	Brent R. Constantz			
	2002	0	1	6	1	3	5	7	October 31, 2002	Rox et al			
	2002	0	1	6	3	6	2	2	November 7, 2002	Magnin et al			
	2003	0	0	2	3	1	5	3	January 30, 2003	Izatt et al			
	2003	0	2	3	6	4	4	3	December 25, 2003	Cespedes et al			

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**FOREIGN PATENT DOCUMENT**

		Document No.							Date	Country	Class	SubClass	Translator	
													Yes	No
		4	3	0	9	0	5	6	September 22, 1994	Germany				
		2	2	0	9	2	2	1	May 4, 1989	Great Britain				
		0	1	1	0	2	0	1	June 13, 1984	European				
		0	2	5	1	0	6	2	January 7, 1988	European				
		9	2	1	9	9	3	0	November 12, 1992	WIPO				
		9	3	0	3	6	7	2	March 4, 1993	WIPO				
		9	7	3	2	1	8	2	September 4, 1997	WIPO				
		9	8	3	5	2	0	3	August 13, 1998	WIPO				
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		9	9	5	7	5	0	7	November 11, 1999	WIPO				
		0	0	5	8	7	6	6	October 5, 2000	WIPO				
		0	1	4	2	7	3	5	June 14, 2001	WIPO				
		0	2	5	4	0	2	7	July 11, 2002	WIPO				

**OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.)**

			"High Resolution in Vivo Intra-Arterial Imaging with Optical Coherence Tomography" by Jujimoto et al., in the Official Journal of the British Cardiac Society, Vol. 82, pages 128-133 Heart - 1999,											
			"Optical Coherence Tomography" by D. Huang et al., in <u>SCIENCE</u> , Vol. 254, pages 1178-1181, November, 1991											
			"High-Speed Phase -and Group Delay Scanning with a Grating Based Phase Control Delay Line" by Tearney, et al., in <u>Optics Letters</u> , Vol. 22, Pages 1811-1813, December, 1997											

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		"In Vivo Video Rate Optical Coherence Tomography" by Rollins, et al., in the <u>Optics Express</u> , Vol. 3, pages 219-229, September, 1998
		High Speed Fiber-Based Polarization-Sensitive Optical Coherence Tomography of in Vivo Human Skin" by Saxer, et al., in the <u>Optical Society of America</u> , Vol. 25, pages 1355-1357, September, 2000
		"3000 Times Grating Compress or with Positive Group Velocity Dispersion" by Oscar Eduardo Martinez, in the <u>IEEE</u> , Vol. QE-23, pages 59-64, January, 1987
		"Image Enhancement in Optical Coherence Tomography Using Deconvolution" by Kulkarni, et al., in the <u>Electronics Letters</u> , Vol. 33, pages 1365-1367, July, 1997
		"Signal Processing for Improving Field Cross-Correlation Function in Optical Coherence Tomography" by Bashkansky, et al., in the <u>Optics &amp; Photonics News</u> , Vol. 9, pages 8137-8138, May, 1998
		"Phase-Domain Processing of Optical Coherence Tomography Images" by Yung, et al., in the <u>Journal of Biomedical Optics</u> , Vol. 4, pages 125-136, January, 1999
		"In Vivo Endoscopic Optical Biopsy with Optical Coherence Tomography" by Tearney, et al., in the <u>SCIENCE</u> , Vol. 276, June, 1997
		"In Vivo Ultrahigh-Resolution Optical Coherence Tomography" by W. Drexler et al., <u>Opt. Lett.</u> Vol. 24, pp. 1221-3, Sept. 1999

4831-0593-8176\1

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